

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 SANKONA GRAHAM,

5 Plaintiff,

6 vs.

7 THEODORE EISENLOFFEL, *et al.*,

8 Defendant.

2:21-cv-01674-RFB-VCF

**ORDER**

9 Before me is the motion requesting that service be made by a U.S. Marshal or someone specially  
10 appointed (ECF No. 72).

11 No opposition has been filed and the time to file an opposition has passed.

12 Under LR 7-2(d), the failure of an opposing party to file points and authorities in response to any  
13 motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to  
14 the granting of the motion.

15 Accordingly, and for good cause shown,

16 I ORDER that the motion requesting that service be made by a U.S. Marshal or someone specially  
17 appointed (ECF No. 72) is GRANTED.

18 The Clerk of Court is directed to issue reissue summons(es) for defendants the County of Nye,  
19 Sharon A. Wehrly, David Boruchowitz, William Gray, Raymond Huntley, Kristen Cleveland, Serenity  
20 Health (Serenity Mental Health L.L.C.), Gaby Cruz, Michael Mall, Jeffrey M. Rhoden, Patricia Rhoden,  
21 and Sharon Benes, and deliver the same to the U.S. Marshal for service. The Clerk also will send sufficient  
22 copies of the Second Amended Complaint (ECF No. 70) and this order to the U.S. Marshal for service on  
23 Defendants.


24 The clerk is directed to mail to plaintiff appropriate copies of the USM-285 form. The clerk is  
25 directed to send copy of the Second Amended Complaint, Summons, and copy of this order to the U.S.  
Marshal for service on defendants the County of Nye, Sharon A. Wehrly, David Boruchowitz, William

1 Gray, Raymond Huntley, Kristen Cleveland, Serenity Health (Serenity Mental Health L.L.C.), Gaby Cruz,  
2 Michael Mall, Jeffrey M. Rhoden, Patricia Rhoden, and Sharon Benes. Plaintiff has thirty (30) days within  
3 which to furnish to the U.S. Marshal the required USM-285 form with relevant information as to  
4 defendants the County of Nye, Sharon A. Wehrly, David Boruchowitz, William Gray, Raymond Huntley,  
5 Kristen Cleveland, Serenity Health (Serenity Mental Health L.L.C.), Gaby Cruz, Michael Mall, Jeffrey  
6 M. Rhoden, Patricia Rhoden, and Sharon Benes.

7 Within twenty (20) days after plaintiff receives copy of the completed USM-285 form from the  
8 U.S. Marshal, plaintiff must file a notice with the court stating if defendant was served. If the plaintiff  
9 wishes to have the U.S. Marshal attempt service again on defendant, then a motion must be filed with the  
10 court.

11 I FURTHER ORDERED that the time to effectuate service on defendants the County of Nye,  
12 Sharon A. Wehrly, David Boruchowitz, William Gray, Raymond Huntley, Kristen Cleveland, Serenity  
13 Health (Serenity Mental Health L.L.C.), Gaby Cruz, Michael Mall, Jeffrey M. Rhoden, Patricia Rhoden,  
14 and Sharon Benes, is extended to January 20, 2023.

15 DATED this 23rd day of November 2022.

  
CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE